

By: Blackmon

To: Judiciary B

HOUSE BILL NO. 894
(As Passed the House)

1 AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE JUROR QUALIFICATIONS; AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 SECTION 1. Section 13-5-1, Mississippi Code of 1972, is
5 amended as follows:

6 13-5-1. Every citizen not under the age of eighteen years,
7 who is either a qualified elector, or a resident freeholder of the
8 county for more than one year, is able to read and write, and has
9 not been convicted of an infamous crime, or the unlawful sale of
10 intoxicating liquors within a period of five years and who is not
11 an habitual drunkard, is a competent juror. No person who is or
12 has been within twelve months the overseer of a public road or
13 road contractor shall, however, be competent to serve as a grand
14 juror. The lack of any such qualifications on the part of one or
15 more jurors shall not, however, vitiate an indictment or verdict.

16 Moreover, no talesman or tales juror shall be qualified who has
17 served as such talesman or tales juror in the last preceding two
18 years, and no juror shall serve on any jury who has served as such
19 for the last preceding two years. No juror shall serve who has a
20 case of his own pending in that court, provided there are
21 sufficient qualified jurors in the district, and for trial at that
22 term.

23 In order to determine that prospective jurors can read and
24 write, the presiding judge shall, with the assistance of the
25 clerk, distribute to the jury panel a form to be completed
26 personally by each juror prior to being empaneled as follows:

- 27 "1. Your name _____ Last _____ First _____ Middle initial
28 2. Your home address _____
29 3. Your occupation _____
30 4. Your age _____
31 5. Your telephone number _____ If none, write none
32 6. If you live outside the county seat, the number of miles
33 you live from the courthouse _____ Miles
34 _____

35 Sign your name"

36 The judge shall personally examine the answers of each juror
37 prior to empaneling the jury and each juror who cannot complete
38 the above form shall be disqualified as a juror and discharged.

39 A list of any jurors disqualified for jury duty by reason of
40 inability to complete the form shall be kept by the circuit clerk
41 and their names shall not be placed in the jury box thereafter
42 until such person can qualify as above provided.

43 SECTION 2. This act shall take effect and be in force from
44 and after its passage.